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**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-120-2009-0033-DNA

PROJECT NAME: Kremmling Fireworks Display

LEGAL DESCRIPTION: T.1N., R.80W., sec. 8: NW¼

KREMMLING FIELD OFFICE, KREMMLING, COLORADO

CASEFILE/PROJECT NUMBER: COC-72601

APPLICANT: Kremmling Fire Protection District

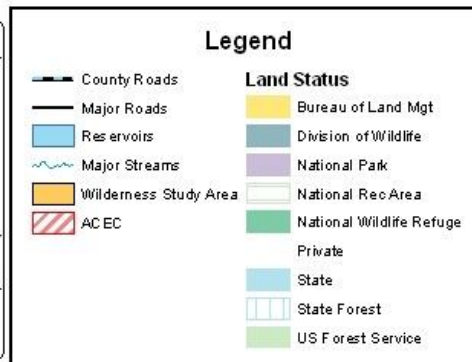
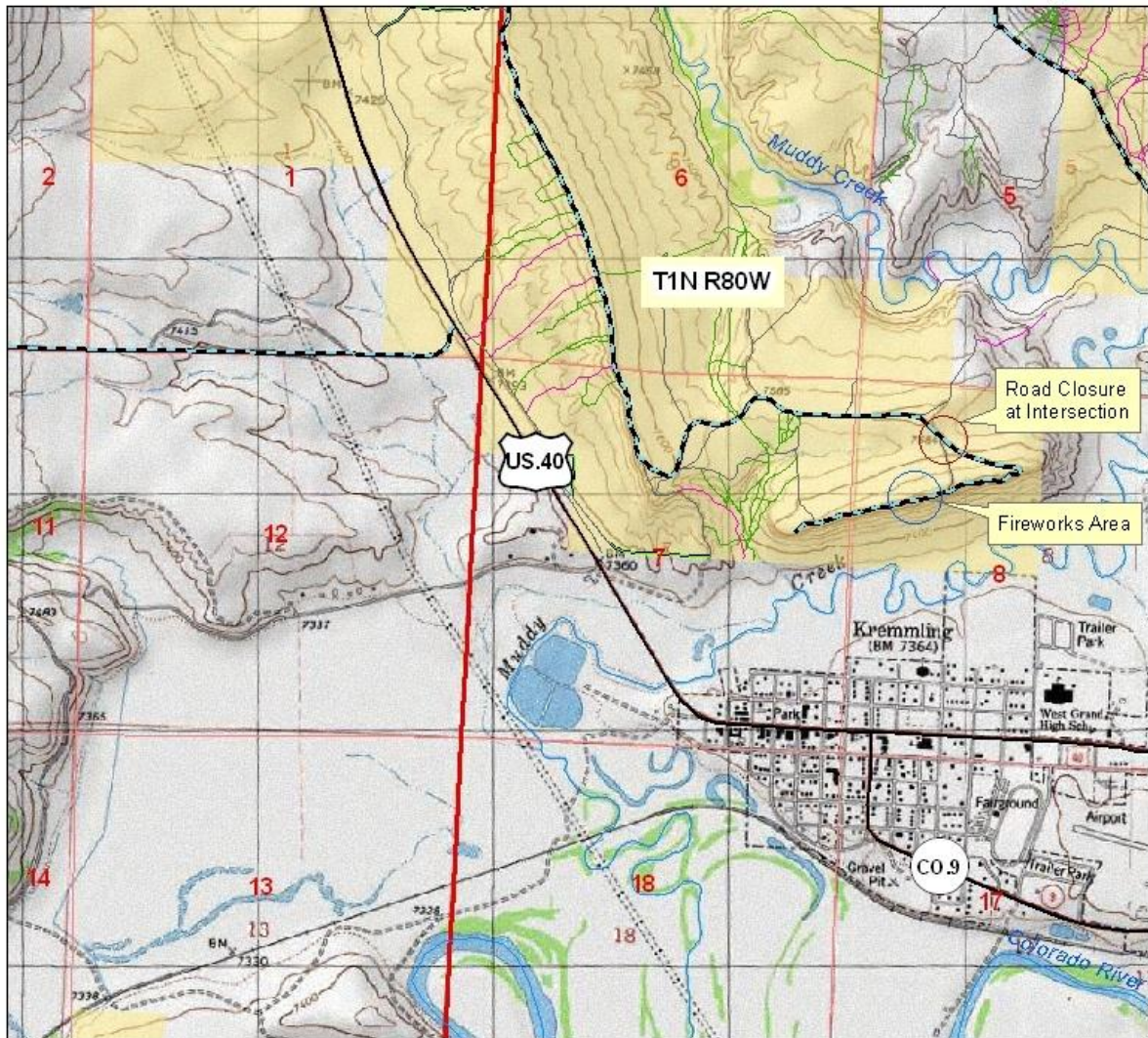
DESCRIPTION OF PROPOSED ACTION:

The Kremmling Fire Protection District has applied for a permit for the July 4th fireworks display for the Town of Kremmling (see Attachment #1 for Special Conditions).

- The proposed size of the project area on BLM administered public land is approximately 50' X 300'.
- There would be one test date each year before July 4th.
- Setup for the display would begin July 3, 2009 and cleanup would conclude July 5, 2009. Up to eight people would be onsite on July 4, 2009 to produce the display.
- The ground disturbance would be limited to 4 trenches, approximately three feet deep and not to exceed 6 feet long and 2 feet wide. All holes would be back filled in at the original grade level. A single backhoe would be needed for trenching.
- The only other equipment needed would be the mortars used for loading the fireworks. Some of the mortars would be placed in the trenches and some would be located on the ground surface.
- Grand County Road 227 would be the access to the site. The only restriction required would be closing GCR 227 at the intersection marked on the attached map on July 4, 2009.

- There would be constant radio communication with the Kremmling Fire Dept. and Grand County EMS and as part of the safety plan.
- Monitoring of sparks and possible ignitions would be confined to existing roads and trails as much as possible to reduce impacts to the riparian zone due to multiple routes and vegetation damage.
- Trench locations of approximately 10 feet by 6 feet each would be delineated to encourage repeated use each year and confinement of the disturbances to a general area.
- All trash would be removed from public land after each event.

Kremmling Fireworks Display



0 0.1 0.2 0.4 Miles

1:24,000

No Warranty is made by the Bureau of Land Management as to the Accuracy, Reliability, or Completeness of this Data for Individual Use or Aggregate Use with Other Data.

Maps: Kremmling
BLM, Kremmling FO 02/19/2008
gisuser/scassell/fireworks

LAND USE PLAN (LUP) CONFORMANCE REVIEW: The Proposed Action is subject to the following plan:

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

__X__ The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

Decision Number/Page: II-B-12 pg. 14

Decision Language: Provide the opportunity to utilize public lands for development of facilities which benefit the public, while considering environmental and agency concerns.
Decision Language:

REVIEW OF EXISTING NEPA DOCUMENTS:

List by name and date all existing NEPA documents that cover the Proposed Action.

Name of Document: *Kremmling Fireworks Display – CO-120-2008-32-EA*

Date Approved: 4/22/2008

NEPA Adequacy Criteria	Yes	No
1. Is the Proposed Action substantially the same action and at the site specifically analyzed in an existing document? Explanation: Yes the Proposed Action is substantially the same action and at the site specifically analyzed in the CO-120-2008-32EA.	X	
2. Was a reasonable range of alternatives to the Proposed Action analyzed in the existing NEPA document(s), and does that range and analysis appropriately consider current environmental concerns, interests, and resource values? Explanation: Yes, the Proposed Action and the No Action Alternative were analyzed in the existing NEPA document. The analysis appropriately considers current environmental concerns, interests, and resource values.	X	
3. Does the information or circumstances upon which the existing NEPA document(s) are based remain valid and germane to the Proposed Action? Is the analysis still valid in light of new studies or	X	

resource assessment information?		
Explanation: Yes, there is no new information or circumstances that would invalidate the existing analyses.		
4. Does the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the Proposed Action?	X	
Explanation: Yes, the methodology and analytical approach used in the 2008 EA continues to be appropriate for the Proposed Action.		
5. Are the direct and indirect impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document?	X	
Explanation: Yes, the implementation of the proposed action would result in the same direct and indirect impacts as those analyzed in CO-120-2008-32EA.		
6. Are the cumulative impacts that would result from implementation of the Proposed Action unchanged from those analyzed in the existing NEPA document(s)?	X	
Explanation: Yes, the cumulative impacts that would result from implementation of the Proposed Action remain unchanged as this display has been occurring for many years.		
7. Is the public involvement and interagency review associated with the existing NEPA document(s) adequate for the Proposed Action?	X	
Explanation: Yes, the Kremmling RMP/ROD was thoroughly scrutinized by members of the general public as well as other federal, state and local agencies. The Proposed Action is listed on the Kremmling Field Office Internet NEPA Register notifying potential interested or affected publics.		

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
Megan McGuire	Wildlife Biologist	Wildlife & T&E	1/20/2009
Paula Belcher	Hydrologist	Soil, Water, Air, and Riparian	1/30/2009
Susan Cassel	Asst. Field Manager	Permitting/NEPA	2/19/09
Bill Wyatt	Archaeologist	Archaeology	1/20/2009
Frank Rupp	Paleontologist	Paleontology	1/23/2009
Kelly Hodgson	Natural Resource Specialist	Waste, Hazardous and Solids	1/23/2009

REMARKS:

Cultural Resources: The APE for this project was re-inventoried in 2007. The portion of cultural site 5GA143 within the APE is heavily disturbed from past fireworks shows and other public recreational use. Continuous public use of the cliffs and ease of access from Kremmling has undoubtedly led to the loss of cultural resources. Continuous use would affect the remaining cultural resources of site 5GA143, and perhaps other unknown cultural sites, by theft, vandalism and inadvertent destruction. This portion of site 5GA143 is evaluated as a non-contributing element to the NRHP eligibility of site 5GA143, and issuance of the permit is recommended.

Native American Religious Concerns: Native American Consultation was completed 1-18-2008 and no comments were received.

Threatened and Endangered Species: No impacts to federal or state listed threatened or endangered species.

Paleontology: A paleontological survey was completed by the BLM paleontologist during the summer of 2008 and a few fossils were found but no direct impacts occurred to this resource.

Wetlands & Riparian Zones: Most of the Muddy Creek segment and riparian areas below the cliffs are on private lands, with BLM-administered public lands just upstream. There would be no impact to riparian areas if the proposed design features are followed.

Soils: Due to the amount of public use, the firework locations have limited vegetation and would be difficult to re-vegetate. The shallow trenches also represent a repetitive soil disturbance that on a landscape scale is minor in evaluating soil health. The proposed design features will confine the disturbances to a general area.

COMPLIANCE/MONITORING: The permitted location would be inspected and monitored after the permit expires to ensure compliance with the terms and conditions of the permit.

NAME OF PREPARER: Susan Cassel

NAME OF ENVIRONMENTAL COORDINATOR: Joe Stout

DATE: 2/20/09

ATTACHMENTS:

1). Special Conditions

CONCLUSION

DOI-BLM-CO-120-2009-0033-DNA

Based on the review documented above, I conclude that this proposal conforms to the land use plan and that the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

SIGNATURE OF RESPONSIBLE OFFICIAL: /s/ David Stout

DATE SIGNED: 2/23/09

Note: The signed Conclusion on this worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.

SPECIAL CONDITIONS

Cultural & Paleontological:

- The holder shall immediately bring to the attention of the Authorized Officer any and all antiquities, or other objects of historic, paleontological, or scientific interest including but not limited to, historic or prehistoric ruins or artifacts DISCOVERED as a result of operations under this authorization (16 U.S.C. 470.-3, 36 CFR 800.112). The holder shall immediately suspend all activities in the area of the object and shall leave such discoveries intact until written approval to proceed is obtained from the Authorized Officer. Approval to proceed will be based upon evaluation of the object(s). Evaluation shall be by a qualified professional selected by the Authorized Officer from a Federal agency insofar as practicable (BLM Manual 8142.06E). When not practicable, the holder shall bear the cost of the services of a non-Federal professional.
- Within five working days the Authorized Officer will inform the holder as to:
 - Whether the materials appear eligible for the National Register of Historic Places;
 - The mitigation measures the holder will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,
 - A timeframe for the Authorized Officer to complete an expedited review under 36 CFR 800.11 to confirm, through the State Historic Preservation Officer, that the findings of the Authorized Officer are correct and that mitigation is appropriate.
- If the holder wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the Authorized Officer will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the holder will be responsible for mitigation costs. The Authorized Officer will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized Officer that the required mitigation has been completed, the holder will then be allowed to resume construction.
- Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest that are outside of the authorization boundaries but directly associated with the impacted resource will also be included in this evaluation and/or mitigation.
- Antiquities, historic, prehistoric ruins, paleontological or objects of scientific interest, identified or unidentified, that are outside of the authorization and not associated with the resource within the authorization will also be protected. Impacts that occur to such resources, which are related to the authorizations activities, will be mitigated at the holder's cost.

- Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the Authorized Officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4 (c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the Authorized Officer.

Wetlands & Riparian Zones:

- Monitoring of sparks and possible ignitions must be confined to existing roads and trails as much as possible to reduce impacts to the riparian zone due to multiple routes and vegetation damage.

Soils:

- Trench locations of approximately 10 feet by 6 feet each must be delineated to encourage repeated use each year and confinement of the disturbances to a general area.

Wastes, Hazardous & Solids:

- All trash must be removed from public land after each event.